

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RICHARD J. CAPAK,

Plaintiff,

v.

RORY DORALL SMITH,

Defendant.

**USDC-SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#:
DATE FILED: 10/13/2021**

No. 18-CV-4325 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

On February 2, 2021, Magistrate Judge Parker granted the request of Defendant's former counsel to withdraw from this matter. Dkt. 113. Defendant has not obtained new counsel, nor has he made any submissions on his own behalf or appeared *pro se* at a subsequent case management conference scheduled by Judge Parker.

On June 17, 2021, following Defendant's failure to attend that conference, Judge Parker stated that discovery was closed and ordered that any motions for summary judgment would be due within thirty days. On July 20, 2021, Judge Parker granted Plaintiff's request for an extension of time to file a summary judgment motion, setting the deadline to August 3, 2021. Dkt. 118. To this date, however—more than two months later—neither party has filed a dispositive motion, or anything else.


In light of these developments, a telephone conference is hereby scheduled for Friday, October 29, 2021 at 3:00 p.m. to discuss the status of this case and the scheduling of a trial. The parties shall use the dial-in information provided below to call into the conference: Call-in Number: (888) 363-4749; Access Code: 1015508. This conference line is open to the public.

Both parties are required to appear by telephone at this conference, including Defendant, even he remains unrepresented. The Court reminds Defendant, as explained in Judge Parker's July 28, 2021 order (Dkt. 119), that he may be able to use the resources of a free legal clinic called the New York Legal Assistance Group. Defendant is encouraged to make a telephone appointment with the clinic by calling (212) 659-6190 or visiting its website at <https://nylag.org/pro-se-clinic/>.

The Clerk of Court is respectfully directed to mail a copy of this order to Defendant.

SO ORDERED.

Dated: October 13, 2021
 New York, New York



Ronnie Abrams
United States District Judge